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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,580	10/25/2003	Dave Kamholz	200309098-1	1081

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EXAMINER

NGUYEN, CHAU T

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/693,580	Applicant(s) KAMHOLZ ET AL.	
	Examiner Chau Nguyen	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/25/03&03/14/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-6 and 17-20 are rejected under 35 U.S.C. 101 because a method of generating a web page is not limited to a tangible embodiment since the method of generating web page requires use of hardware to accomplish generating step. Therefore, claims 1-6 and 17-21 are non-statutory as not being tangible.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

Art Unit: 2176

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 4, 7-8, 10, 13-14 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Kraft et al. (Kraft), US Patent No. 6,938,170.

6. As to claims 1, 7 and 13, Kraft discloses a method of generating a web page comprising:

designating content for publication on the web page (col. 6, lines 32-50: the original web form 400 contains data (content) from its data sources 320 that are collected and organized in response to a request from browser); and

designating a specific portion of the content to prevent a web crawling mechanism from indexing the specific portion (col. 6, lines 32-50 and col. 7, line 25 – col. 9, line 55: a dynamically manipulated web form 410 that prevents the crawler 305 from automatically accessing the data (sensitive information such as price information (portion of the content)) embedded in the original web form 400).

7. As to claims 2, 8 and 14, Kraft discloses wherein designating a specific portion of the content further comprises: utilizing a tag to designate the specific portion of content (col. 9, lines 19-32).

Art Unit: 2176

8. As to claims 4, 10 and 16, Kraft discloses wherein designating a specific portion of the content further comprises utilizing an attribute to designate the specific portion of the content (col. 9, lines 19-32).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3, 5-6, 9, 11-12, 15 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraft et al. (Kraft) as applied to claims 1-2, 4, 7-8, 10, 13-14 and 16 above, and further in view of Meyerzon et al. (Meyerzon), US Patent No. 6,199,081.

11. As to claims 3, 9 and 15, Kraft discloses the claimed invention as discussed in claims 1-2, 4, 7-8, 10, 13-14 and 16 above. However, Kraft does not disclose wherein the tag comprises a robot tag. Meyerzon discloses tagging document is accomplished by inserting a property into the modified document data stream, for example, insert a special property such as META NAME=ROBOTS CONTENTS-NOINDEX in the

Art Unit: 2176

document data stream (col. 11, lines 42-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Meyerzon and Kraft to include robot tag since Meyerzon suggests that by using robot tags in the website so indexing engine does not index sites with robot tags.

12. As to claims 5 and 11, Kraft and Meyerzon disclose wherein the attribute comprises a robot attribute (Meyerzon discloses tagging document is accomplished by inserting a property into the modified document data stream, for example, insert a special property such as META NAME=ROBOTS CONTENTS-NOINDEX in the document data stream (col. 11, lines 42-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Meyerzon and Kraft to include robot tag since Meyerzon suggests that by using robot tags in the website so indexing engine does not index sites with robot tags).

13. As to claims 6 and 12, Kraft and Meyerzon disclose wherein indexing the specific content further comprises following the specific content (Kraft, col. 1, lines 30-45).

14. As to claim 17, Kraft discloses a method of generating a web page comprising:
designating content for publication on the web page (col. 6, lines 32-50: the original web form 400 contains data (content) from its data sources 320 that are collected and organized in response to a request from browser);

utilizing a tag to designate a specific portion of the content to prevent a web crawling mechanism from indexing the specific portion (col. 6, lines 32-50 and col. 7, line 25 – col. 9, line 55: a dynamically manipulated web form 410 that prevents the crawler 305 from automatically accessing the data (sensitive information such as price information (portion of the content)) embedded in the original web form 400).

However, Kraft does not disclose wherein the tag comprises a robot tag. Meyerzon discloses tagging document is accomplished by inserting a property into the modified document data stream, for example, insert a special property such as META NAME=ROBOTS CONTENTS-NOINDEX in the document data stream (col. 11, lines 42-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Meyerzon and Kraft to include robot tag since Meyerzon suggests that by using robot tags in the website so indexing engine does not index sites with robot tags.

15. As to claim 18, Kraft and Meyerzon disclose wherein indexing further comprises following (Kraft, col. 1, lines 30-45).

16. As to claim 19, Kraft and Meyerzon disclose wherein utilizing a tag to designate a specific portion of the content further comprises utilizing an attribute to designate the specific portion of the content (Kraft, col. 9, lines 19-32).

Art Unit: 2176

17. As to claim 20, Kraft and Meyerzon disclose wherein the attribute comprises a robot attribute (Meyerzon discloses tagging document is accomplished by inserting a property into the modified document data stream, for example, insert a special property such as META NAME=ROBOTS CONTENTS-NOINDEX in the document data stream (col. 11, lines 42-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Meyerzon and Kraft to include robot tag since Meyerzon suggests that by using robot tags in the website so indexing engine does not index sites with robot tags).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The Examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chau Nguyen
Patent Examiner
Art Unit 2176

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
11/19/2005